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April 28, 2015

VIA EMAIL

Lac Des Mille Lacs First Nation
1100 Memorial Ave, Suite 328
Thunder Bay, ON, P7B 4A3

TO WHOM IT MAY CONCERN:

RE: CAMPAIGNING AT THE ELDER'S GATHERING

I am writing to provide my legal opinion concerning campaigning for the upcoming election with the use of the First Nation's assets. The community is hosting its Annual Elders Gathering ("Gathering") which will occur prior to the regular general election in June of this year. Members who are seeking election to office may be present and should not use this Gathering as a means to campaign with the Elders.

I confirm that it is my opinion that campaigning at the Gathering would not be an acceptable practice as your Election Code prohibits the use of First Nation assets and resources for campaign purposes. Specifically, Article 15. A of your Election Code provides as follows:

- A. No member of Chief and Council, any other candidate(s), or First Nation staff shall be allowed to use First Nation assets, equipment or funds for the purpose of campaigning in an election.*

It is my view that no campaigning should be permitted within the Gathering itself as this would be considered a breach of the code since this event uses First Nation finances in order for it to happen. Allowing members to do so would be a breach of the code.

It is my understanding that this is a traditional gathering for the First Nation's Elders which is held on a yearly basis and is not to be held for political purposes but to focus on the Elders. As such, no speeches or statements of support or non-support for any official candidate should be permitted to occur at this gathering as this may potentially influence the outcome of the election and can still be considered an indirect use of the First Nation assets to campaign. It would be a best practice to prohibit any campaigning within the

elder's gathering in order to eliminate the risk of any official candidate advancing an appeal alleging that a breach of the campaign finance rule has occurred.

This opinion does not mean that those who are seeking to campaign cannot do so in another place outside of the Gathering location(s). However, campaigning should not be permitted within the Gathering itself.

Should you have any questions or concerns please do not hesitate to contact me.

Yours very truly,

ESQUEGA LAW OFFICE

A handwritten signature in black ink, appearing to read 'Etienne Esquega', written in a cursive style.

ETIENNE ESQUEGA

